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Subject: Notice of Appeal From The Primary Examiner To The Board Of
Patent Appeals And Interferences For 09/928,198

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NOTICE OF APPEAL FROM THE PRIMARY
EXAMINER TO THE BOARD OF PATENT
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ATTORNEY'S DOCKET NO.

X-12383N

SERIAL NO.	FILING DATE	EXAMINER	GROUP PART UNIT
09/928,198	August 10, 2001	Regina M. DeBerry	1647

IN RE APPLICATION OF

Hoffmann, James A. and Lu, Jirong

TO THE COMMISSIONER FOR PATENTS:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated March 9, 2004 of the Primary Examiner finally rejecting Claim(s) 128.

- () Notice of Appeal fee not required (fee paid in prior appeal of this application)
- (X) Notice of Appeal fee \$330.00
- () Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows:
- () One month (\$110.00)
- () Two months (\$420.00)
- () Three months (\$950.00)

Please charge the fees indicated in the amount \$ 330.00 to Deposit Account No. 05-0840.

The Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840.

Two copies of this sheet are enclosed.

Paula K Davis
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ELI LILLY AND COMPANY
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18 June 2004

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June 18, 2004
Date

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES		ATTORNEY'S DOCKET NO. X-12383N	
SERIAL NO. 09/928,198	FILING DATE August 10, 2001	EXAMINER Regina M. DeBerry	GROUP ART UNIT 1647
IN RE APPLICATION OF Hoffmann, James A. and Lu, Jirong			
TO THE COMMISSIONER FOR PATENTS: Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated <u>March 9, 2004</u> of the Primary Examiner finally rejecting Claim(s) <u>128</u> . () Notice of Appeal fee not required (fee paid in prior appeal of this application) (X) Notice of Appeal fee \$330.00 () Applicant(s) petition(s) under 37 C.F.R. 1.136 for an extension of time to file the foregoing Notice of Appeal as follows: () One month (\$110.00) () Two months (\$420.00) () Three months (\$950.00) Please charge the fees indicated in the amount \$ <u>330.00</u> to Deposit Account No. 05-0840. The Commissioner is hereby authorized to charge any additional fees which may be required by this or any related paper, or credit any overpayment to Deposit Account No. 05-0840. Two copies of this sheet are enclosed. <div style="text-align: right;"><u>Paula K. Davis</u> Paula K. Davis Attorney for Applicant Registration No. 47,517 Phone: 317-433-3422</div> <div>ELI LILLY AND COMPANY Patent Division P.O. Box 6288 Indianapolis, Indiana 46206-6288 <u>18 June 2004</u></div>			
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I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office on the date shown below. Janet M. Fowler Type or print name of person signing certification <div style="display: flex; justify-content: space-between;"><div><u>Janet M. Fowler</u> Signature</div><div><u>June 18, 2004</u> Date</div></div>			